

### **REMARKS/ARGUMENTS**

This is in response to the Office Action dated September 19, 2008. Claims 9-15 are pending. Claims 12-15 stand rejected in the outstanding Office Action. Claims 9-11 are withdrawn. Claims 12-15 have been amended.

Applicant thanks the Examiner for consideration of the Information Disclosure Statements filed September 11, 2005.

The rejection of claims 12-15 under 35 U.S.C. § 103(a), as allegedly being unpatentable over Moseley et al. (US 6,046,849) in view of Takashi (JP 2002-040426), is respectfully traversed.

Amended claims 12-15 now recite “wherein the switching liquid crystal panel, the parallax barrier and the display-use liquid crystal panel are positioned in this order from a light source emitting light that is incident onto the switching liquid crystal”. Support for the amendment can be found, for example, in Fig. 2 of the specification. Moseley/Takashi fails to teach or suggest this feature.

Moseley discloses a liquid crystal display that utilizes a parallax barrier for achieving autostereoscopic viewing. In one embodiment (cited by the Examiner), the LCD unit includes a backlight 3, a parallax barrier element 4, a switchable element 11 in the form of a diffuser that may comprise a polymer-dispersed liquid crystal which is switchable between a low scattering or substantially clear state and a highly scattering state, and a display LCD 1, the above elements disposed in the LCD unit in that order (Fig. 4, col. 2, lines 45-67). The switchable diffuser 11 affects the switching of the LCD unit between 3D mode (in the low scattering state) and 2D mode (in the highly scattering state).

In other embodiments, the LCD unit may be in the configuration of Fig. 11a, where the LCD unit comprises a backlight 3, a display LCD 1, a parallax barrier 20 and a switchable diffuser 42 in that order (col. 15, lines 18-40). Still in another embodiment (cited by the Examiner), the LCD unit comprises a backlight 3, a display LCD 1, a switchable diffuser 42, and a parallax barrier 20 in that order (Fig. 11b, col. 15, lines 41-52).

The Examiner acknowledged that Moseley fails to teach the limitation that the one element from the display LCD and the switching LCD that is closest to the light source has a liquid crystal layer having a higher transition point. He then turned to Takashi for the missing limitation.

Takashi discloses a LCD unit comprising a driving LC cell 30 next to a compensation LC cell 40 (Fig. 1). Takashi teaches that the driving LC cell is on the light incidence side and the compensation LC cell is in the light emitting side (see second sentence in paragraph [0016])). Moreover, Takashi teaches that the LC layer in the driving cell has a transition temperature that is higher than the transition temperature of the LC layer in the compensation cell (see paragraph [0022]). The Examiner then asserted that it would have been obvious to one of ordinary skill in the art to modify the LCD unit of Moseley with the teaching of Takashi so that the LC layer in the one LCD unit that is closest to the light source has the highest transition point “to prevent the fall of the contrast ratio by a rise in heat without providing a temperature compensation circuit”.

With the above amendment to claims 12-15, it is made clear that the claimed configuration comprises a switching LCD unit 30 receiving light from the light source and transmitting said light to a parallax barrier unit in the form of the patterning phase difference plate 20. Light transmitted through the parallax barrier 20 is incident onto the display LCD 10.

This configuration comprising the above elements in the specific claimed order is not taught or suggested by Moseley (or Takashi).

For the above reasons, claims 12-15 are allowable.

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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